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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/601,047

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Hon-Mo Raymond Law

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03/01/2006

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EXAMINER

LE, DINH THANH

ART UNIT

PAPER NUMBER

2816

DATE MAILED: 03/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/601,047             | LAW ET AL.          |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | DINH T. LE             | 2816                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/20/03</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Specification***

The specification has been checked to the extent necessary to determine the presence of all possible minor errors. However, the applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Objection***

Claims 19-25 are objected to because they do not clearly recite the preamble, i.e., the method for . . . Correction is required.

### ***Claim Rejections***

#### ***Claim Rejections - 35 USC § 112***

Claims 19-25 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. It is not understood what the “article of manufacture”, “machine-accessible medium” and “data” are how data can cause the machine to perform the “receiving steps”, “outputting steps”, “dividing steps” and “buffering step” since the present specification does not show the detailed structure of the machine and the medium and explain how the machine can perform these steps. Clarification is required.

Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Correction or clarification is required. The same is true for claim 12

In claim 1, it is unclear how the recitation “circuitry” on line 2 is read on the preferred embodiment. Insofar as understood, no such circuitry is seen on the drawings.

In claim 2, it is unclear what the “circuits” are and where they come from.

In claim 3, it is unclear how the circuit can be “preset” on lines 3, 5, 7 and 9.

In claim 8, the recitation “the clock signal’s complementary clock signal” on line 5 lacks clear antecedent basis. It is unclear how receiving a signal can output a signal.

In claim 10, it is unclear how the dividing steps can be “incorporated into the receiving and outputting steps in claim 8. The same is true for reciting “OR-ing” step in claim 11.

In claim 12, it is unclear how the recitation “microprocessor” and “memory” is read on the preferred embodiment. Insofar as understood, no such microprocessor and memory coupled to receive the second clock signal as combined in this claim.

In claim 16, it is not understood what the “first power domain” and “second power domain” are.

In claim 18, it is unclear how the recitation “outputting steps” on lines 2 and 5 and “receiving step” on line 8 is read on the preferred embodiment. Insofar as understood, no such steps are seen on the drawings.

In claim 19, the recitation “the clock signal’s complementary clock signal” lacks clear antecedent basis. It is not understood what the “machine”, “medium” and “data” are and how the

machine can perform the “receiving steps” and “outputting steps”, and where the clock signals come from. The same is true for claims 20-25.

In claim 20, the recitation “data” on line 2 is confusing because it is unclear if this is additional “data” or further recitation of the previously claimed “data” on line 2 of claim 19.

The remaining claims are depending upon the above rejected claims and therefore also considered indefinite.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 16-17 and 23-24 are rejected under 35 USC 102 (e) as being anticipated by Hsieh (US 6,737,927).

Hsieh discloses in Figures 5a-5b a circuit comprising:

- a buffer circuits (21, 21') for receiving a first signal (fp0) and a second signal (fp180);
- dividers (2, 22'2); and
- an exclusive OR logic circuit (23) for outputting a clock signal (CLKO)

### ***Allowable Subject Matter***

Claims 1-15 and 19-22 would be allowable if rewritten to overcome the rejection(s)

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under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claims 18 and 25 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

These claims are allowable because the prior art of record does not suggest "the third signal and fourth signal" as combined in these claims.


### ***Conclusion***

Any comments considered necessarily by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DINH T. LE whose telephone number is (571) 272-1745. The examiner can normally be reached on Monday-Friday (8AM-7PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIMOTHY CALLAHAN can be reached at (571) 272-1740.

application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DINH T. LE  
PRIMARY EXAMINER

25 February 2006